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12 *Attorneys for Plaintiffs*

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14 **IN THE UNITED STATES DISTRICT COURT**
15 **FOR THE DISTRICT OF ARIZONA**
TUCSON DIVISION

16
17 Center for Biological Diversity; and
18 Conservation CATalyst,

19 *Plaintiffs,*

20 v.

21 Kristi Noem, in her official capacity
22 as Secretary of Homeland Security;
23 U.S. Department of Homeland
24 Security; and U.S. Customs and
Border Protection,

25 *Defendants.*
26
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Case No. CV-25-00365-TUC-AMM (JEM)

**DECLARATION OF RUSSELL D.
MCSPADDEN**

1 I, Russell D. McSpadden, hereby declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration. If called as a
3 witness, I could and would competently testify to these facts.
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5 2. I visited the San Rafael Valley area to observe border wall construction on
6 September 15, September 29, and October 31, 2025.

7 3. During my September 15 visit, I observed the first section of new border wall
8 construction. It looked like approximately 350 feet of wall had been erected at that time.
9 I also saw that two large areas of grassland within the Coronado National Forest had been
10 scraped bare for a staging yard and what had been called a “man camp” for worker
11 housing. In the western staging yard, I observed several trailers apparently used for
12 worker housing, as well as generators, electrical boxes, and portable toilets. The eastern
13 yard about a tenth of a mile from the western yard contained large piles of gravel and
14 numerous heavy construction machines, including excavators, bulldozers, bucket loaders,
15 conveyors, and a sand-and-gravel sorting machine. This yard also contained what appears
16 to be a drilled well site and some sort of water retention pond.
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19 4. When I returned on September 29, just a few days before the federal government
20 shutdown, I observed an increase in the number of worker trailers and heavy machinery
21 in both the eastern and western yards.
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23 5. When I visited again on October 31, I observed that a substantial amount of new
24 wall had been constructed. Based on my visual observation, it appeared that more than a
25 quarter mile of new border wall had been built since my last visit.
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1 6. On October 31, I also observed three large dump trucks repeatedly traveling
2 between the construction area (the eastern and western staging yards) and the western
3 slopes of Coronado National Memorial several miles away. Each truck carried debris that
4 appeared to have been blasted out of the mountain. I learned from both a local resident—
5 who had heard and witnessed the detonations several days earlier—and from a site
6 security guard that explosives had been used to extract rock for use in concrete for the
7 wall. From my vantage point, it appeared that the construction crew had created a quarry
8 on the slopes of the mountain, within federally designated jaguar critical habitat. I took
9 the following photograph, at approximately 31.33384, -110.28905 at the eastern edge of
10 the San Rafael Valley on the western slopes of the Coronado National Monument portion
11 of the Huachuca Mountains within the Coronado National Forest.
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1 7. This activity appears to have occurred in an ecologically sensitive area that
2 supports endangered species, including the jaguar and ocelot, and is managed by the
3 National Park Service.

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5 8. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing
6 is true and correct to the best of my personal knowledge.

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8 Executed in Tucson, AZ on November 5, 2025
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11 _____
12 Russell D. McSpadden
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